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BEFORE THE ARIZONA CORPORATION COMMISSION

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ARIZONA CORPORATION COMMISSION
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Arizona Corporation Commission

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PAC-WEST TELECOMM, INC.,

Complainant,

QWEST CORPORATION,

Respondent.

) DOCKET NOS. T-01051B-05-0495

) T-03693A-05-0495

) **RESPONSE IN SUPPORT OF**

) **LEVEL 3's PROCEDURAL**

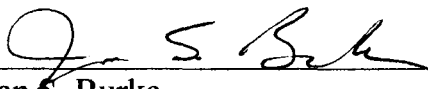
) **RECOMMENDATION**

Pac-West Telecomm, Inc. ("Pac-West") hereby responds in support of the Motion for Procedural Conference filed by Level 3 Communications, LLC on May 5, 2010 in Docket Nos. T-03654A-05-0415 and T-01051B-05-0415. Pac-West supports Level 3's proposal for a joint procedural conference in the Level 3 and Pac-West ACC complaint dockets, 05-0415 and 05-0495, respectively. The Pac-West/Qwest remand proceeding addressing historic compensation for ISP-bound VNXX traffic (Docket No. T-03693A-05-0495) is largely identical to the Level 3/Qwest remand proceeding, also addressing compensation for ISP-bound VNXX traffic (Docket No. T-03654A-05-015). The Pac-West Docket was suspended on October 30, 2009, by agreement of the parties, in

anticipation of action by the Ninth Circuit on the Level 3 appeal. *See* Procedural Order dated October 30, 2010, p 2. As explained in the Level 3 Notice and Motion, the Level 3 matter was remanded by the Ninth Circuit by order dated April 19, 2010 and the mandate has issued.

Pac-West requests that a procedural conference be held jointly with Level 3 and agrees with Level 3 that, at a minimum, the parties should be instructed to brief the impact of recent FCC and D.C. Circuit Court of Appeals orders addressing legal issues presented by the remand of these two complaint cases.

RESPECTFULLY SUBMITTED this 3rd day of June 2010.

By 
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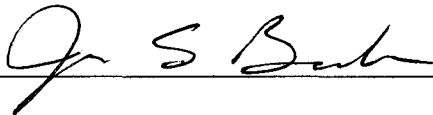
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filed this 3rd day of June 2010, with:

Docket Control
Arizona Corporation Commission
1200 West Washington Street
Phoenix, Arizona 85007

COPIES of the foregoing mailed
this 3rd day of June, 2010, to:

Jane L. Rodda
Administrative Law Judge
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Suite 218
Tucson, AZ 85701

Norman Curtright
Corporate Counsel
Qwest Corporation
20 E. Thomas Road, 16th Floor
Phoenix, Arizona 85012

A handwritten signature in cursive script, appearing to read "J. S. Burk", is written over a horizontal line.

4841-9264-1030, v. 1